

THIS AMENDED RULE WAS APPROVED BY THE UTAH STATE BOARD OF EDUCATION AND IS SCHEDULED TO BE PUBLISHED IN THE MARCH 1, 2009 UTAH STATE BULLETIN, SUBJECT TO A 30-DAY COMMENT PERIOD, WITH A FIRST POSSIBLE EFFECTIVE DATE OF APRIL 7, 2009.

**R277. Education, Administration.**

**R277-601. Standards for Utah School Buses and Operations.**

**R277-601-1. Definitions.**

A. "Board" means the Utah State Board of Education.

B. "Local board" means the local school board of education.

**R277-601-2. Authority and Purpose.**

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of the public education in the Board, Section 53A-1-402(1)(~~e~~)d which directs the Board to adopt rules for state reimbursed bus routes, bus safety and operational requirements, and other transportation needs and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to specify standards for state student transportation funds, school buses, and school bus drivers utilized by school districts.

**R277-601-3. Standards.**

A. The ~~Board~~ local board and school district personnel shall act consistent with the manual entitled [~~"Standards for Utah School Buses and Operations," 1987]~~ STANDARDS FOR UTAH SCHOOL BUSES AND OPERATIONS, 1999, which include~~d~~s ~~input~~ information received from Utah school districts, the Utah Transportation Commission, and the Utah Department of Public Safety and is available at each department or agency.

B. STANDARDS FOR UTAH SCHOOL BUSES AND OPERATIONS, 1999, shall include:

(1) Electronic and telecommunications devices

(a) A school bus operator's primary responsibility, consistent with training and policy, is the safety of passengers and the safety of the public at all times.

(b) A school bus operator shall not use a cell phone, wireless electronic device, or any headset, earpiece, earphones or other equipment that might distract a driver from his responsibilities, whether hand held or not, while the school bus is in motion and not appropriately parked or secured.

(c) Once the bus is stopped and safely parked, a school bus operator may use an electronic device for emergencies, to assist special needs students, for behavior management, for appropriate assistance for field/activity trips or for other business-related issues.

(d) A school bus operator may use an electronic device for personal use once a school bus is safely parked, appropriately secured and all passengers are safely off and at a safe distance from the bus.

(e) Any violation of these provisions for emergency or compelling reasons may require documentation and will be addressed by the employing education entity.

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(f) Violations of these provisions may result in personnel action(s) against the school bus operator consistent with school district/employer policies.

(g) Private contractors employed by school districts for student transportation shall also adhere strictly to these provisions in addition to the policies of the employer.

(2) End of bus route inspection

(a) At the end of a student delivery, both during the day and after the final route of the day, a school bus operator shall complete the delivery, stop and park the bus, and insure that all students are off the bus.

(b) Where possible, this inspection shall be completed at each school site when delivering students to school.

(c) Following each from-school route of the day, the bus operator shall complete the same type of inspection at a safe location a short distance from where the final student(s) left the bus. If children are found on the bus, they shall be immediately returned to their assigned bus stop location or to an alternate location, consistent with district policy, with express permission from the parents(s).

~~[R277-601-4. Amendments.]~~

~~The following sections of Standards for Utah School Buses and Operations are changed as follows:~~

~~A. Part I, 100. SCHOOL BUS OPERATIONS — GENERAL REQUIREMENTS  
100.02 Standards Statement~~

~~Paragraph One, First sentence: In transporting eligible students, expenditures for regular, special education, and contract bus routes established by the district and approved by the State Office of Education are termed "A" category while other costs of transportation are classified in the "B" category.~~

~~Paragraph Four, First sentence: When school districts contract or lease for the pupil transportation program, costs are termed "A" category costs.~~

~~Paragraph Five, Add this sentence to the end of the paragraph: Districts receiving the incentive funding may expend the monies at the discretion of the local school board.~~

~~Add as a new Paragraph: The state appropriation for transporting qualified pre-school three and four-year-old handicapped students to and from schools is awarded on the basis of a proposed budget submitted for approval to the Finance and Statistical Section of the Utah State Office of Education. Each district's initial share of the appropriation is based on the prorated proportion that the number of eligible students in the district bears to the total of such students in the state, provided the money is required by the district for its budget. Unused balances from districts not operating the program or not needing the full prorated portion are reallocated to districts which have requested more than their initial share. The reallocation is~~

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~~distributed on the same basis as the initial allocation. Reallocated funds may be used on unfulfilled budget requests. Allocations are sent to districts on the basis of actual approved expenditures not to exceed the appropriated amount. The program is cost accounted under program number 5343.~~

~~B. TRANSPORTATION TO AND FROM SCHOOL FORMULA~~

~~Part I. EXAMPLE: 1988-89.~~

~~Part II. "B" Money Based on Standards for Utah School Buses and Operations, 1987.~~

~~Total the following: (Handbook II Account Numbers)~~

~~1. 514 + 516 Account: Parent (Student allowance) subsistence and Auto Mileage payment.~~

~~2. Legislative Appropriation to: Extended Year Program for Severely Handicapped, Alternate to Building Construction, and Pre-School 3 and 4 Years of Age Special Education.]~~

**KEY: school, buses, school transportation**

**Date of Enactment or Last Substantive Amendment: [1988]2009**

**Notice of Continuation: February 13, 2009**

**Authorizing, and Implemented or Interpreted Law: 53A-1-402(1) ([e]d); 53A-1-401(3)**